

ES
MEE MORANDUM:

RE: Martha C. Rose PRP Meeting June 3, 1986

From: Steven Kinser

To : Scott Pemberton



40027040
SUPERFUND RECORDS

Site: Martha C. Rose
ID #: MDP 986 33045
Break: 10.1 PER
Other: 6-3-86

The following is a summation of my notes from the subject meeting. A list of attendees is attached. Scott Pemberton kicked off the meeting by stating that since the meeting had been called by the PRPs he assumed that they had an agenda and he would turn the lead of the meeting over to them. It immediately became evident that the PRPs did not wish to take the lead in the meeting and they requested that Scott begin with the first point in the requirements of the order and discuss them and explain EPA's expectations concerning the item.

Spill Clean up: James Anderson Attorney for Walter Carolan Company Inc. (WCCI) Stated that a written report on the operation at the site concerning the spill response and clean up would be forthcoming but he would have Dwight Thomas (WCCI) give a verbal report. Mr. Thomas reported that apparently a chemical reaction between the fluid in the tanker and the tanker resulted in the development of a leak in the tanker. He estimated that approximately two hundred gallons of liquid from the tanker with PCB concentrations of 71 ppm was involved with the spill. It was further stated that the spill had now been controlled and only a drop or so was falling from the tanker every fifteen seconds and was being caught in a barrel.

At this point ETI representatives stated that the Spill became evident on May 13. At that time ETI had absorbents deployed and began dike and diversion activities. Some soil excavation has taken place and the soil has been placed in drums. They stated the majority of the creek clean up has taken place although some oil is still percolating to the surface. It was further stated that a contractor had been brought in to estimate the cost of cleaning up the creek banks. No consideration of the clean up of the stream bed has been made. It was suggested that one solution to bringing the oil up from the sub-surface would be to add water to the intermittent stream thus rising the water table and flushing out the oil. ETI has not embraced this concept

as a feasible alternative at this point.

Daniel Bukovac, Attorney for Lear Siegler, Inc., indicated that Lear Siegler was very interested in regaining control of the property, WCCI had not kept up the payments for leasing the property and Lear Siegler would be interested in regaining control of the property. Lear Siegler is not interested in becoming involved in any major portion of the clean up at the site.

There followed an exchange of concerns from EPA that there did not appear to be sufficient activity at the site to clean up the spill. The final commitment by WCCI was to hire additional personnel for the clean up crew. WCCI has committed to increase their workforce from three to seven or eight. In addition three employees from ETI have been involved and one more may be added. ETI is now considering utilizing the 90 day 'call it quits' clause in their agreement with MCR. The new employees in the spill response are to be on board by Friday June 6.

WCCI is to begin sampling to verify clean up on June 4th. By cob June 5th WCCI is to have developed a sampling plan to ensure that the site is clean once activity is complete. This plan is to be in our hands within the two working days timeframe. WCCI was informed that George Hess the OSC could comment on the plan prior to its submittal to enable the initial submittal to be acceptable. At the same time the company is to present a plan showing the type and location of the security fence to be installed.

The city of Holden is concerned with PCB contamination of their sewage sludge. There is an active suit against MCR on this topic. WCCI claims that the PCBs in the city sewage sludge are a different 'type' of PCB than MCR handled. No verification of this was available. Scott Pemberton plainly stated that any plan addressing remediation of the site would have to include all releases. EPA is avoiding becoming involved in taking sides in this dispute.

WCCI stated that there is no financial ability to pursue the clean up. EPA requested evidence of such in the form of Income tax returns, Accounts receivable and financial statements ; from 1982 to the present for WCCI, MCR, Am. Steel, Dust Suppression,

and Mr. Carolan himself. No commitment was made on the part of any item but the tax statements.

There was additional discussion concerning ETI's involvement and the plan that they have developed. EPA indicated that it did not consider the plan developed by ETI as being satisfactory in either the technical sense or in the response sense. Any plan submitted in response to the AO must include anticipated time frames and some assurances that the plan can and will be carried out.

The following is a listing of key dates for WCCI

June 6, 1986- Seven or eight WCCI employees are to be involved in the spill response in addition to any employees of ETI.

June 5, 1986- by COB a sampling plan and plan for security fence is to be provided to EPA

June 17, 1986- By COB clean up plan and inventory plan for entire site due to EPA